IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE Dr. JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 16071 of 2004

Between:

1 T. Satyanarayana Singh, S/o Prabhu Singh,
2 M. Prabu, S/o Chandrappa,
Both Petitioners are Ex-Contract Labour, Jarasangam Post & Village . (M), Medak District, Pin 502 246.

..... PETITIONERS

AND

1. The Vice Chairman & Managing Director, A.P. Power Generation Corporation Ltd, Vidyutsoudha, Somajiguda, Hyderabad.

2. The Superintendent Engineer (Operation Circle), Medak at Sangareddy,Medak District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any appropriate writ order or direction particularly one in the nature of writ of mandamus declaring the action of the 1st respondent in not disposing of the appeal petition dated 22-4-99 in spite of the reminders dt. 2-2-2000, 8-2-2001 and 8-8-2003 filed by the petitioners aggrieved by the letters No. SE/O/MDK/PO/Adm/C2/D.No. 505/98, dated 19-2-99 issued by the 2nd respondent is as arbitrary, illegal and violative of Article 14, 16 and 21 of the Constitution of India and consequently direct the 1st respondent to dispose of the appeal petition dated 22-4-99.

Counsel for the Petitioner:MR.G.CHANDRAIAH

Counsel for the Respondents.: MR.S.RAVINDRANATH,

(SC for GENCO)

The Court made the following :

ORDER:

The Petitioners worked as contract labourers under the respondents Corporation. The former APSEB issued a circular covered by B.P.(P&G.Per)Ms.No.36, dated 18-5-1997 for absorption of contract labourers worked in other than 33 abolished categories of employment. The petitioners contend that they have become eligible for absorption. When their candidatures were not considered, they filed W.P.No.12076 of 1998 and the High Court passed an order on 29-4-1996 directing to consider the request of the petitioners. In pursuance of the said direction, the 2nd respondent conducted interviews to the petitioners on 10-6-1998 along with the similarly placed contract labourers. Though, the petitioners produced all the relevant documents, the 1st respondent passed an order dated 19-2-1999, rejecting the cases of the petitioners on the ground that the certificates produced by them are not issued by the Officers of APSEB, who are competent to issue the same.

The further contention of the petitioners is that against the rejection letter of the 2nd respondent dated 19-2-1999 the petitioners preferred an appeal before the 1st respondent on 22-4-1999.

The grievance of the petitioners is that the 1st respondent so far did not pass any orders on the appeal preferred by them. Therefore, they approached this Court seeking a direction to the 1st respondent to dispose of the appeal preferred by them.

In the light of circumstances explained by the petitioners, the 1st respondent is directed to pass appropriate orders on the appeal dated 22-4-1999 preferred by the petitioners, according to law within eight weeks from the date of the receipt of a copy

of this order. In the event of non-tracing of the appeal petition filed by the petitioners, the 1st respondent may get a copy from the petitioners and pass appropriate orders on the same.

The Writ Petition is accordingly disposed of. No order as to costs.

Dr. G.Yethirajulu, J.

9th September, 2004.

KM

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Vice Chairman & Managing Director, A.P. Power Generation Corporation Ltd, Vidyutsoudha, Somajiguda, Hyderabad.
2. The Superintendent Engineer (Operation Circle), Medak at Sangareddy,Medak District.

3. 2CD copies

THE HONOURABLE Dr.JUSTICE G.YETHIRAJULU

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W.P.No. 16071 OF 2004

9th September, 2004.